

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORLANDO TATONE, Individually and on Behalf of
All Others Similarly Situated,

Plaintiff,

-against-

CVS HEALTH CORPORATION, et al.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: <u>9/25/2024</u>

24-CV-06771 (MMG)

ORDER

MARGARET M. GARNETT, United States District Judge:

The undersigned currently presides over four cases that have been deemed related because they all concern statements made by CVS Health Corporation in SEC filings, marketing materials, and other public documents about the profitability of its Health Care Benefits Segment. The four cases are as follows: *Nixon v. CVS Health Corporation, et al.*, 24-cv-05303; *Kaufmann v. Lynch, et al.*, 24-cv-06595; *Tatone v. CVS Health Corporation, et al.*, 24-cv-06771; and *Silva v. Lynch, et al.*, 24-cv-06892.

On September 10, 2024, two prospective lead plaintiffs in *Nixon v. CVS Health Corporation, et al.* separately filed motions to consolidate the *Nixon* and *Tatone* actions.¹ See *Nixon v. CVS Health Corporation, et al.*, 24-cv-05303, Dkt. Nos. 15, 17. Those motions remain pending. On September 23, 2024, the parties in *Kaufmann v. Lynch et al.*, together with the parties in *Silva v. Lynch, et al.*, filed a motion to consolidate the *Silva* and *Kaufmann* actions.² See *Kaufmann v. Lynch, et al.*, 24-cv-06595, at Dkt. No. 9; *Silva v. Lynch, et al.*, 24-cv-06892 at Dkt. No. 4. This motion remains pending.

Before the Court resolves the above motions that have been filed in the *Nixon* and *Silva* actions concerning consolidation and in light of the related nature of the four aforementioned cases pending before the undersigned, it is hereby ORDERED that the parties in the above-captioned case shall each submit a letter, not to exceed 3 pages, that addresses the parties' views on whether all four cases, or some combination thereof, should be consolidated, no later than **October 4, 2024**. The defendants, if they choose, may submit a single letter regarding consolidation, that should be filed on the electronic docket in each of the four cases.

Dated: September 25, 2024
New York, New York

SO ORDERED.



MARGARET M. GARNETT
United States District Judge

¹ The motions filed by two prospective lead plaintiffs in *Nixon* request additional relief beyond the consolidation of the *Nixon* and *Tatone* actions that is not relevant to the instant Order.

² The motion filed by the parties in *Silva* requests additional relief beyond the consolidation of the *Kaufmann* and *Lynch* actions that is not relevant to the instant Order.